

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HOME INSTEAD, INC., a Nebraska
Corp.,

Plaintiff,

vs.

JOHN CAMPBELL and AT HOME
SENIOR CARE, INC., a New York
Corp.,

Defendants.

Case No. 8:08cv366

**ORDER OF DISMISSAL WITH
PREJUDICE**

This matter came before the Court upon the parties' Stipulation that the Order of Dismissal, dated September 30, 2008 (docket no. 10), be modified so that the above captioned matter is dismissed with prejudice. The Court, having been fully apprised as to the circumstances of the Stipulation, hereby finds that Order of Dismissal should be modified as requested.

IT IS ORDERED that the Order of Dismissal (docket no. 10) is hereby modified and this action is dismissed with prejudice.

Dated this 23rd day of December, 2009.

BY THE COURT:

s/ Joseph F. Bataillon

Chief Judge Joseph F. Bataillon

Prepared by:

Theresa D. Koller (NE #22437)
CLINE WILLIAMS WRIGHT
JOHNSON & OLDFATHER, L.L.P.
One Pacific Place
1125 South 103rd Street, Ste. 320
Omaha, NE 68124
(402) 397-1700
tkoller@clnewilliams.com

ATTORNEYS FOR PLAINTIFF

Approved by:

Jill Robb Ackerman (#17623)
BAIRD HOLM LLP
1500 Woodmen Tower
Omaha, NE 68102-2068
(402) 344-0500
jrackerman@bairdholm.com

ATTORNEY FOR DEFENDANTS